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Bradley S. Carroll, Esq.
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May 14, 2008

VIA HAND DELIVERY

Richard Boyles
Utilities Engineer
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

Re: STAFF'S APRIL 15, 2008, LETTER OF INSUFFICIENCY AND ACCIPITER
COMMUNICATIONS, INC. DBA ZONA COMMUNICATION'S
RESPONSES TO STAFF'S FIRST SET OF DATA REQUESTS
DOCKET NOS. T-02847A-08-0164 and T-01051B-08-0164

Dear Mr. Boyles:

Enclosed are Zona Communications' Responses to Staff's First Set of Data Requests dated April 15, 2008. Please do not hesitate to contact me if you have any questions.

Sincerely,

Snell & Wilmer

Bradley S. Carroll

BSC:dcp
Enclosure

cc: Docket Control (original and 15 copies)
Patrick Sherrill (via e-mail)
Norman Curtright, Esq. (via e-mail)
Reed Peterson (via e-mail)

Arizona Corporation Commission
DOCKETED
MAY 14 2008

DOCKETED BY	
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**STAFF'S FIRST SET OF DATA REQUESTS TO
ACCIPITER COMMUNICATIONS, INC.
DOCKET NO. T-02847A-08-0164**

April 15, 2008

STF 1.1 Please provide copies of any data requests served on Accipiter Communications Inc. ("Accipiter," "Zona," or the "Company") by any other party in this docket and Accipiter's responses thereto.

Response: Zona has not received any data requests by any other party in this docket.

Prepared by: Patrick Sherrill
President/CEO
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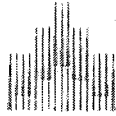
April 15, 2008

STF 1.2 Has Zona received any requests for service from anyone located within the area referred to in the Joint Application as the Zona Extension Area? If yes, please attach copies of the requests.

Response: Zona received a request from Harvard Investments. A copy of the request is attached as Exhibit A to this response.

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Exhibit A
to
STF 1.2



HARVARD INVESTMENTS
A HILL COMPANY

RECEIVED

May 1, 2007

Mr. Patrick Sherrill
Accipiter Communications
President and Chief Executive Officer
2238 West Lone Cactus Drive, Suite 100
Phoenix, Arizona 85255

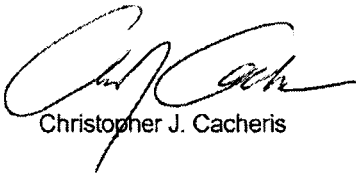
RE: Lake Pleasant 5000 Service Area

Dear Mr. Sherrill:

Thank you for your April 6th proposal to service the Lake Pleasant 5000 development. I enjoyed learning about Accipiter and would like to confirm Harvard Investments acceptance of the offer to serve the Lake Pleasant 5000 area.

If there are any documents and or contracts to continue the process please forward them to my office.

Sincerely,



Christopher J. Cacheris

cc: Mr. Tim Pohland, Cyclone Consulting Services

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DOCKET NO. T-02847A-08-0164**

April 15, 2008

STF 1.3 Has Zona received any requests for service from anyone located within the area referred to in the Joint Application as the Qwest Extension Area? If yes, please attach copies of the requests.

Response: Zona has not received any requests for service from anyone located within the Qwest Extension Area.

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April 15, 2008

STF 1.4 Do potential customers to whom service has not been extended currently exist in the Qwest Extension Area? If yes, please identify the quantity, their approximate location and the reasons for which Zona has not extended service.

Response: Zona is not aware of any unserved potential customers. It is our understanding that Qwest has an existing establishment in this area that is served by Qwest's facilities.

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STF 1.5 Does Zona continue to believe that the financing that was approved in Decision 68913 is sufficient for the construction of facilities to serve the Lake Pleasant 5000 property? If no, how does Zona propose to make up any shortfall?

Response: Zona believes that the financing approved in Decision 68913 is sufficient for construction of facilities to serve the Lake Pleasant 5000 property.

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April 15, 2008

STF 1.6 Please describe the facilities Zona would construct to serve the Lake Pleasant 5000 property and the types of services offered.

Response: Zona proposes to construct fiber-to-the-home network facilities as we have deployed within other master-planned communities within our service area. We would offer our full suite of services to customers in the Lake Pleasant 5000 property, which currently includes basic telephone, custom calling and CLASS telephone features, long distance, and broadband internet services. We will also be able to provide high-capacity data circuits which are normally required for some business applications.

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April 15, 2008

STF 1.7 What is the estimated timeframe for when the developer would begin sales at the Lake Pleasant 5000 property?

Response: It is Zona's understanding that the development is currently still in planning stages and Zona has not been advised of any firm date for the beginning of sales.

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STF 1.8 When would Zona be required to start constructing its facilities within the Lake Pleasant 5000 property?

Response: As stated in its response in STF 1.7 above, it is Zona's understanding that the development is currently still in planning stages and Zona has not been advised of any firm date for the beginning of sales. Once the developer notifies Zona specifically when it will start construction of the development, and after the Commission approves this application for an extension of its CC&N, Zona will schedule the construction of its facilities within the Lake Pleasant 5000 property.

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STF 1.9 Does Zona know who will provide cable video services in the Lake Pleasant 5000 property? If yes, please supply the name of the cable video provider.

Response: Zona does not have knowledge of any other cable video service providers who may choose to serve Lake Pleasant 5000.

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STF 1.10 What would the impact be if the FCC were not to approve a Study Area waiver for the proposed exchange of service areas?

Response: If the FCC did not approve the Study Area Waiver, Zona would not be able to utilize the NECA tariffs to charge interexchange carriers for switched or special access. Additionally, Zona would not be able to participate in the NECA pool, and would not receive Federal USF as an ILEC. Further, Zona would be required to apply separate accounting, jurisdictional separations, and access charge rules just for the Zona Extension Area.

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STF 1.11 Should the exchange of service area be approved, how does Accipiter anticipate that its receipt of funds from the Federal Universal Service Fund will be impacted?

Response: To the extent that Zona's initial investment to serve the Zona Extension Area could increase its average investment per access line, Zona's Federal USF could increase. However, as the development begins to achieve density and thus decreases Zona's average investment per access line, Federal USF could decrease.

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STF 1.12 For what reasons did Accipiter agree to the proposed exchange of service area with Qwest and why does Accipiter believe such a transfer is in the Public Interest?

Response: Zona agreed to the exchange of service area, and believes that such exchange is in the public interest, because it allows both Qwest and Zona to provide service by the company whose facilities are best situated to serve each of the areas being transferred. Additionally, Zona believes that the public interest is further served by this transfer because it will ensure that future residents and businesses in the respective areas have access to Eligible Telecommunications Carriers.

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STF 1.13 Are there any developments that extend across the boundary of Accipiter's current service area and the Zona Extension area? If yes, please describe.

Response: Zona is not aware of any developments that extend across the boundary of the current service area and the Zona Extension Area.

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